

REMARKS/ARGUMENTS

In response to the Official Action mailed May 18, 2005, Applicants amend their application and request reconsideration. No claims are cancelled or added, so that claims 1-20 remain pending.

The Office Action included a PTO-892 Form identifying two U.S. patents and three foreign patent publications. There was no need to identify the two U.S. patents since those publications were already identified in a previous Office Action. The Office Action purported to enclose copies of the three cited foreign publications. However, the only complete publication supplied, JP 7-286788, had already been supplied to the Examiner in an Information Disclosure Statement by the Applicants. The other two cited foreign patent applications were supplied only in incomplete form, missing some of the drawings and several pages of the disclosure. Applicants' representative was compelled to obtain complete copies of the publications in order to understand the rejections. Applicants request complete copies of any foreign publications cited in the future.

Claims 7, 9, 16, and 17 were objected to, but not rejected.

There are three independent claims pending in this patent application. Those three claims differ from each other but each of independent claims 18 and 19 includes all of the limitations of claim 1. All three independent claims have been amended in the same way.

The location of the recitation of the riving heat exchangers is changed in the claims to provide antecedent basis for later reference to the driving heat exchangers. The claims are clarified by referring to those driving exchangers rather than the first and second ends of the container. These clarifying amendments are supported at page 12, lines 5-14 and elsewhere in the original patent application.

Claim 6 is amended to correct a translational error, previously overlooked. Claim 16 is changed in punctuation, for clarity.

The amended independent claims all describe the heat transport device as having the at least one thermal-receiver heat exchanger and the at least one thermal-radiator heat exchanger located outside of the container on an outer wall of the container. Further those respective heat exchangers are located between the driving heat exchangers at terminal portions of the container. For example, the embodiment of Figures 1A and 1B includes multiple thermal-receiver heat exchangers 2 and multiple-radiator heat exchangers 3, all between the respective driving heat exchangers 4 at terminal ends of the fluid channel. In that and other embodiments, those different kinds of heat exchangers are not only arranged serially but also alternately along the fluid channel. Further, those different types of heat

exchangers are clearly located on the outside surface of the container 1 that is not only shown in the figures but described, for example, at page 10, lines 3-19.

In the Office Action, the three independent claims, claims 1 18, and 19, as well as certain dependent claims, were rejected as anticipated by Ohashi et al. (JP 6-120384, hereinafter Ohashi '384). This rejection is respectfully traversed.

The Office Action included no explanation of correlation between the elements of Ohashi '384 and the elements of claims 1, 18, and 19. Therefore, Applicants are left to speculate as to what correlation was made in asserting that the examined independent claims were anticipated. It is assumed that the container of the claims is considered to encompass the Ohashi '384 headers 1 and 2, with the tubes 3 and 30 of Ohashi '384 corresponding to the hollow structure. Further, it is assumed that the heat exchangers of claim 1 are the heat exchanging fins within the headers 1 and 2 of Ohashi '384. The remainder of the potential correspondence of the elements of claim 1 with respect to the disclosure of Ohashi '384 is exceedingly difficult to discern. For example, the claimed heat transport device includes driving heat exchangers located at respective terminal portions of the container. It is presumed that the bellows 60 and 61 of Ohashi '384 are asserted to correspond to these driving heat exchangers. However, it is apparent that in Ohashi '384 these bellows are present only at one of the terminal portions, not at respective terminal portions as in the claims. For that reason alone, the rejection for anticipation is clearly erroneous.

In addition, it cannot reasonably be asserted that the heat exchanging fins in the embodiments of Ohashi '384 are serially arranged along the fluid channel. At best, there are two such heat exchangers and they are located at terminal portions, not intermediate portions and not serially along the fluid channel. Clearly, those fins are not spaced from the terminal portions of the container but are located inside the terminal portions of the container.

Finally, the fins in Ohashi '384 are clearly not located outside of the container on any outer wall of the container, but are entirely enclosed within the outer walls of the containers, i.e., headers, of Ohashi '384. Because of these differences, the rejection cannot properly be maintained.

Since claim 1 cannot be anticipated by Ohashi '384, it follows that none of dependent claims 2-5 and 15 can be anticipated by Ohashi.

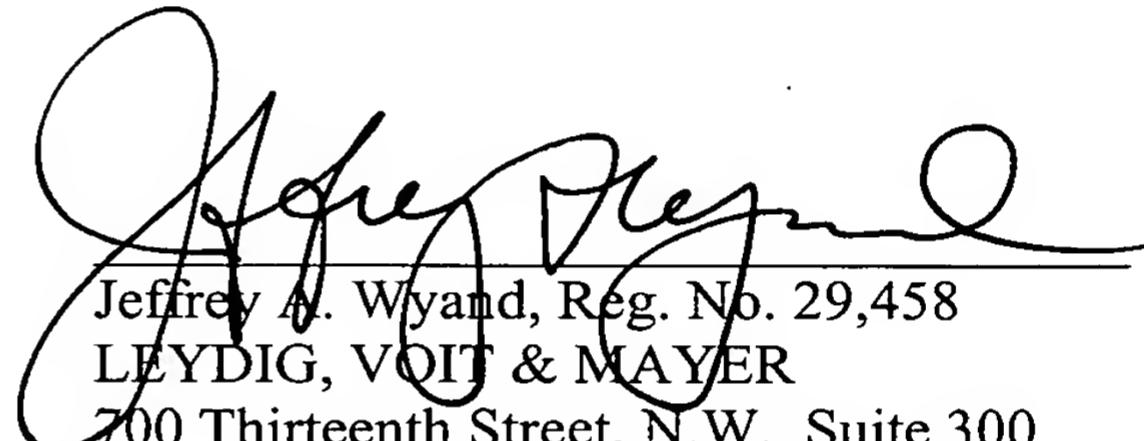
Claims 6 and 8 were rejected as unpatentable over Ohashi '384 in view of Tsenter et al. (U.S. Patent 6,425,440, hereinafter Tsenter). This rejection is respectfully traversed because it depends upon the anticipation of claim 1 by Ohashi '384. Claims 6 and 8 depend from claim 1. As already demonstrated, Ohashi '384 fails to anticipate claim 1 so that the rejection of claim 6 and 8 likewise fails because Tsenter does not supply the parts of claim 1 that are missing from Ohashi '384.

Claims 10-14 were rejected as unpatentable over Ohashi '384 in view of Tsenter, and further in view of Ohashi et al. (JP 7-286788, hereinafter Ohashi '788). This rejection is respectfully traversed.

Claim 10 depends from claim 1 and claims 11-14 depend directly or indirectly from claim 10. While Applicants agree that Ohashi '788 discloses a fluid channel that is meandering in shape, neither Ohashi nor Tsenter disclose the other elements of claims 10-14 that are missing from amended claim 1. Further, since amended claim 1 is not anticipated by Ohashi '384, the rejection of claims 10-14 cannot properly be maintained.

Reconsideration and allowance of all of claims 1-20 are earnestly solicited.

Respectfully submitted,



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Amendment or ROA - Regular (Revised 4-18-05)